



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Conduct a Public Hearing to consider the introduction of an ordinance amending Lodi Municipal Code Title 9, Public Peace, Morals and Welfare, repealing Chapter 9.18 – "Selling on Streets and Sidewalks", in its entirety and reenacting Chapter 9.18 as "Vending on Streets, Sidewalks and Private Property" to create comprehensive regulations for mobile food vendors and itinerant merchants.

MEETING DATE: July 18, 2007

PREPARED BY: Community Improvement Manager

RECOMMENDED ACTION: Conduct a Public Hearing and Introduce an ordinance amending Lodi Municipal Code Title 9, Public Peace, Morals and Welfare, by repealing Chapter 9.18 – "Selling on Streets and Sidewalks", in its entirety and reenacting Chapter 9.18 as "Vending on Streets, Sidewalks and Private Property" to create comprehensive regulations for mobile food vendors and itinerant merchants.

BACKGROUND INFORMATION: Over the past several years the Community Development Department has received many complaints regarding both mobile food vendors and itinerant merchants that work from either the public right-of-way or from private property. Investigation of these complaints has resulted in the discovery of conditions or activities related to the mobile food vending that are a concern to the health and safety of the general public, and detrimental to surrounding properties. Furthermore, the investigation of these issues has found the conditions around many of the itinerant merchants and some of the mobile food vendors to be a blight to the surrounding neighborhoods or area.

Our review of these vending issues has led to several public meetings, including the City Council meetings on July 5, 2006 and September 20, 2006; a Lodi Improvement Committee meeting on April 3, 2007; and finally, a Council Shirtsleeve Session on May 1, 2007. Through the course of those meetings and in our development of the proposed ordinance, we have met with and discussed the issues with the majority of the mobile food vendors that will be affected by the proposed ordinance and the attorney that is representing them.

Through the course of this review, we have recognized that most all of these mobile food vendors serve a legitimate clientele and that there is substantial demand for the food services that they provide. Taking that into consideration, it has been our intent to craft clear and concise regulations and processes that enable us to address the health and safety concerns, eliminate nuisance and blight conditions, and still provide for legitimate business activities to serve their clientele. However, the proposed regulations are also clearly intended to either prohibit or seriously restrict itinerant merchants.

APPROVED: _____

Blair King, City Manager

In regards to our current regulations that pertain to vending activities, in addition to what currently exists under Lodi Municipal Code Chapter 9.19 – Selling on Streets and Sidewalks, we have Section 10.44.080 - Unlawful Parking-Peddlers and Vendors, which provides a process for getting permission from the City Council to stay in one location for longer than ten minutes. Beyond that we have some general and specific guidelines in the Zoning Regulations which pertain to uses on private property.

The proposed ordinance would consolidate all pertinent regulations that are currently spread throughout the code, into one code section and establish the following key guidelines:

1. Permit to Operate Process.
2. Restrictions Based Upon Location
3. Guidelines for Appearance of Site and Vending Vehicle
4. Guidelines for Sanitation, Safety and Security
5. Penalties and Due Process

The features of those elements are detailed as follows:

Annual Permit to Operate Process

- Any person desiring to engage in a vendor operation will first have to apply for and obtain a Permit to Operate from the City of Lodi according to this proposed ordinance.
- The Permit to Operate may be issued as either an annual permit, renewed each year for on-going operations, or as a single-event permit for certain seasonal vendors or for one-time events.
- The proposed ordinance provides the basic guidelines for the permit application process, and while the proposed ordinance establishes grounds for denial of a Permit to Operate, an alternative to denial is also provided for in a Conditional Permit to Operate.
- Exemptions are provided for those operating in connection with a state-certified open-air market, an authorized street fair or event under a special permit.

Restrictions Based Upon Location

- Specific allowances and restrictions for operations from both the public right-of-way and private property, based upon the relative zoning and use of the area are established.
- Operations in and around residential uses are more restrictive than those in commercial and industrial uses.
- Vending activities near a legitimate residential use within a commercial or industrial area requires compliance with residential area restrictions.
- Vending operations cannot be the primary use of a parcel unless that parcel is developed in accordance with the standards of the Development Code for that use and the zoning designation for that parcel.
- Vending operations located on private property, within two-hundred (200') feet of a residential use, can only be permitted through the issuance of a Conditional Permit to Operate.

Guidelines for Appearance of Site and Vehicles

- Restrictions are placed upon the placement and use of tables, chairs, shade structures and other appurtenances related to the vending operation.
- Further restricted are the exterior displays of goods, wares or merchandise, thereby prohibiting much of the itinerant merchant operations.

Guidelines for Sanitation, Safety and Security

- Issues pertaining to restroom facilities for food workers, trash containers and no loitering around the vending operations are addressed.

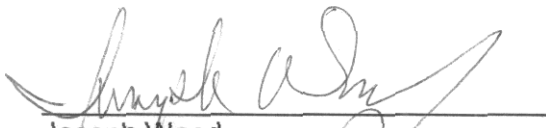
Penalties and Due Process

- In addition to establishing a schedule of fines, the process for suspension or revocation of either the Permit to Operate or Conditional Permit to Operate is established in this ordinance. This provides a mechanism for the City to address problems or nuisance conditions at a particular vending site, as well as the basis for the suspension or revocation of a permit.
- Due process is provided to the vendor/business operator through the already established Administrative Hearing process.

FISCAL IMPACT:

The proposed ordinance is revenue neutral, as the costs related to review and approval of vendor's Permit to Operate applications **will** be off-set with the appropriate fees. It would not be feasible at this point to expect any revenue from any fines that may be associated with enforcement of the provisions of the proposed ordinance.

FUNDING AVAILABLE: **N/A**



Joseph Wood
Community Improvement Manager

Concurred:  _____
Randy Hatch
Community Development Director

Attachments

cc:

DRAFT

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
AMENDING LODI MUNICIPAL CODE, TITLE 9 - "PUBLIC PEACE,
MORALS AND WELFARE", CHAPTER 9.18 - "VENDING ON STREETS
AND SIDEWALKS" BY REPEALING AND REENACTING CHAPTER 9.18
"VENDING ON STREETS, SIDEWALKS AND PRIVATE PROPERTY,"

=====

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:
SECTION 1. Lodi Municipal Code Title 9, "Public Peace, Morals and Welfare", Chapter
9.18 - "Vending on Streets and Sidewalks", is hereby repealed and reenacted
to read as follows:

Chapter 9.18 VENDING ON STREETS, SIDEWALKS AND PRIVATE PROPERTY

9.18.010 Declaration of Purpose

The City Council expressly finds that the vending of produce, prepared or prepackaged foods, goods, wares, and/or services on public streets, sidewalks or alleys and on private property pose unsafe conditions and special dangers to the public health, safety and welfare of the residents of the City of Lodi. It is the purpose and intent of the City Council, in enacting this Chapter, to provide those persons who engage in those types of vending operations with clear and concise regulations to prevent safety, traffic and health hazards, as well as to preserve the peace, safety and welfare of the community.

9.18.020 Definitions

- A. "Business Owner" shall mean any person, firm, or corporation, which owns or controls any interest in any business engaged in vending as defined in Subsection H hereof.
- B. "Commissary" shall mean a food establishment in which food, containers, equipment, or supplies are stored or handled for use in Motorized Food Wagons or Conveyance.
- C. "Conveyance" as used in this Chapter means any vehicle (except Motorized Food Wagons, as defined **below**), trailer, cart, wagon or stand, with or without wheels, which may be moved from one place to another under its own power or by other means.
- D. "Linear Frontage" is the method used to determine distances as used in this Chapter.
- E. "Mobile Food Vendor" shall mean any person, as defined in this Chapter, who owns, controls, manages and/or leases a Motorized Food Wagon or Conveyance; and/or contracts with a **person(s)** to drive, operate prepare foods and/or vend from a Motorized Food Wagon or Conveyance.
- F. "Motorized Food Wagon" shall mean any vehicle as defined in Section 670 of the California Vehicle Code, which is equipped and used for retail sales of prepared; pre-packaged; or unprepared, unpackaged food or foodstuffs of any kind on any public street, alley, highway, or private street, alley, or property within the City of Lodi. For the purposes of this Chapter, a Motorized Food Wagon shall also include any trailer or wagon pulled by a vehicle.
- G. "Persons" shall mean any person, firm, partnership, association, or corporation, and includes, but is not limited to, owners, operators, drivers, lessors, and lessees of Motorized Food Wagons and Conveyances.
- H. "Vend" or "Vending" shall mean the sale of any goods, wares, merchandise, prepared; pre-packaged; or unprepared, unpackaged food or foodstuffs of any kind from private

or public property. Vending from a Motorized Food Wagon generally has the following characteristics:

1. Food is ordered and served from a take-out counter that is integral to the Motorized Food Wagon and there is typically a space for customer queuing;
2. Food is paid for prior to consumption;
3. Food and beverages are served in disposable wrappers, plates, or containers: and
4. Food and beverages are prepared and sold for off-site consumption.

Vending from a Conveyance generally has the following characteristics:

1. Food is paid for prior to consumption;
2. Food and beverages are served in disposable wrappers, plates, or containers: and
3. Food and beverages are prepared and sold for off-site consumption.

I. "Vendor"/"Operator" shall mean any person who sells and makes immediate delivery, or offers for sale and immediate delivery, any goods, wares, or merchandise; or drives, operates, vends, and/or prepares food on or from a Motorized Food Wagon or Conveyance.

9.18.030 Regulations For Sales

It shall be unlawful for any person to Vend, or attempt to engage in Vending or operate any vehicle or conduct any business for the purpose of Vending from any vehicle, Motorized Food Wagon or Conveyance parked, stopped, or standing, upon any public street, alley, highway, or property, or private street, alley, or property within the City of Lodi except in accordance with all applicable provisions of this Code.

9.18.040 Permit to Operate

A person desiring to engage in a vendor operation, as defined by this section, shall submit a written application for a Permit To Operate in a form acceptable to and with all supporting information required by the City of Lodi. Such application shall be accompanied by a non-refundable, non-transferable application fee in an amount as may be established by Resolution of the City Council. Any such permit shall be required to be renewed annually and a separate non-refundable, non-transferable application fee shall be paid annually for such renewal application. Vendors must have the permit in their possession when Vending. There must be at least one Vendor with a valid permit present whenever Vending is taking place.

A. A Vendor must obtain a background check in accordance with the requirements of Section 9.16.030 of this Code.

B. Every Vendor shall obtain a City of Lodi Business License.

C. As part of the Permit to Operate application, the Vendor or Business Owner shall provide the following:

1. Proof of current vehicle registration and a copy of an applicable vehicle insurance policy for any vehicles used in the vending activity.
2. Four photographs (showing different exterior views) of each Motorized Food Wagon or Conveyance.
3. A copy of a current San Joaquin County Environmental Health permit for any food service vending operation.
4. A copy of the Vendor or Business Owner's current business license and applicable Board of Equalization Seller's Permit.
5. For Mobile Food Vendors, Business Owners must show proof of payment to a Commissary for the prior twelve (12) months for all cases involving the reissuance of a Permit; and proof of current payment for new Vendors.

6. If the Vendor is operating on private property, the Business Owner shall provide the following:
 - a. an affidavit in a form approved by the City from the property owner (if other than self) permitting the Vendor to locate on the site.
 - b. a Site Plan, drawn to scale and with dimensions, indicating the location of all existing buildings, structures, driveways, parking spaces, traffic controls and improvements, and the location or areas where the proposed Vending activity, structures and improvements related to the Vending activity, will be located upon the site.
 - c. in the case of Mobile Food Vendors from private property, an affidavit from the business or location providing the required restroom facilities for food service workers, stating the hours that those facilities are being made available.
- D. The following may constitute grounds for denial of a Permit to Operate:
 1. The Vending operation or activity as proposed by the applicant does not comply with all applicable laws including, but not limited to, the applicable building, zoning, housing, fire, safety, and health regulations;
 2. The applicant is unable to obtain the required Peddler's license, pursuant to LMC Section 9.16.030 due to a criminal background check;
 3. The applicant has, within three (3) years immediately preceding the date of filing of the Application, had a Permit to Operate, Peddler's License, or related permit, which was issued within the state of California, suspended or revoked;
 4. The applicant has knowingly made a material misstatement in the Application for a Permit to Operate;
 5. There have been excessive calls for service to the Police Department within the twelve (12) months preceding the Application with inadequate response by the Vendor or Business Owners or operators, involving the commission of crimes, disturbances, public nuisances, or applicable Lodi Municipal Code violation investigations, which are located, committed, or generated on the premises of the Vending operation.
 6. Failure to get clearance from San Joaquin County Environmental Health.
- E. As an alternative to a denial of a Permit to Operate for failure to meet the requirements of Section 9.18.050 or 9.18.080 of this Code, the City Manager or designee may issue a Conditional Permit to Operate. Said Conditional Permit to Operate shall be issued with conditions imposed on the operation of the premises. All conditions shall be complied with in order to maintain the Conditional Permit to Operate in a valid status. Failure to comply with the imposed conditions will subject the Conditional Permit to Operate to suspension and/or revocation procedures or any other remedy authorized by law.

9.18.050

Location

- A. A Vendor may locate and operate in the public right-of-way subject to the following conditions:
 1. A Vendor shall not operate within three hundred (300) feet of any school grounds, park, playground, or City operated recreation center.
 2. A Vendor shall not operate within one hundred (100) feet of any street intersection.
 3. In addition to the above, a Vendor must comply with the following regulations, depending upon the type of use in which it is located:
 - a. Residential Use Area:
 - i. In a Residential Use Area, a Vendor shall move not less than four hundred (400) feet at least every ten (10) minutes and may

- not return to a previous location or within four hundred (400) feet of a previous location on the same calendar day.
 - ii. Permitted hours of operation are from 7:00 a.m. to 8:00 p.m.
 - iii. A Vendor may not be located within four hundred (400) feet of another Vendor.
 - b. Commercial Use Area:
 - i. In a Commercial Use Area, a Vendor shall move not less than four hundred (400) feet at least every three (3) hours and may not return to a previous location or within four hundred (400) feet of a previous location on the same calendar day.
 - ii. Permitted hours of operation are from 6:00 a.m. to 12:00 a.m.
 - iii. If a Vendor is located in a Commercial Use Area and is within four hundred (400) feet of a residence, it shall comply with the requirements listed above for Residential Use Area.
 - c. Industrial Use Area:
 - i. In an Industrial Use Area, a Vendor may operate twenty-three (23) hours a day.
 - ii. If a Vendor is located in an Industrial Use Area and is also within four hundred feet (400) feet of a residence, it shall comply with the requirements listed above for Residential Use Area.
- 4. No Vendor shall be located or maintained on public property, including bicycle pathways, inconsistent with any other City regulations.
- B. A Vendor may locate on private property subject to the following conditions:
 - 1. Incidental to a primary use with the primary use having a valid Business License;
 - 2. A Vendor shall not be the primary use of a parcel unless that parcel is developed in accordance with the standards of the Development Code for that use and the zoning designation for that parcel.
 - 3. A Vendor shall not be permitted as an accessory use to a stand-alone parking lot.
 - 4. A Vendor cannot utilize, or be located on, parking spaces required for the primary use at that property.
 - 5. A Vendor cannot be located on a vacant, undeveloped parcel or lot.
 - 6. A Vendor must be located on a paved concrete or asphalt parking surface.
 - 7. A Vendor cannot interfere with access, aisles, circulation, driveways or fire lanes and hydrants.
 - 8. A Vendor cannot interfere with pedestrian movement or create a pedestrian hazard.
 - 9. Vending on private property within two-hundred feet of a residential use is permitted only through the provisions of a Conditional Permit to Operate.

9.18.060

Exemption

- A. Any person engaged in Vending conducted in connection with the operations of a state-certified open-air market or an authorized street fair or event under a special event permit, lease, real property license, agreement, or other entitlements issued by the City of Lodi.
- B. Any person delivering any goods by vehicle where such goods have been ordered in advance for such delivery from any business located at a permanent location and which goods are being delivered from such location to the customer by vehicle, regardless of the point of sale.
- C. Section 9.18.050 shall not apply to the sale or distribution of any newspaper, flier or handbill.

9.18.070 Application of Other Laws and Regulations

- A. The provisions of this Chapter prohibiting the stopping or parking of a vehicle shall apply at all times or at those times specified by this Chapter, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.
- B. The provisions of this Chapter imposing a time limit on stopping or parking shall not relieve any person from the duty to observe other more restrictive provisions of the California Vehicle Code, this Code or any other ordinances of the City, prohibiting or limiting the stopping or parking of vehicles in specified places or at specified times.

9.18.080 Condition/Appearance of Site

- A. The site shall be maintained in a safe and clean manner at all times.
- B.** No tables, chairs, fences, shade structures, or other site furniture, (permanent or otherwise) or any free standing signs shall be permitted in conjunction with the Vendor.
- C. Should any other site improvements be needed for on-going Vending operations, the Vendor shall be required to apply for appropriate permits to ensure building and public safety and consistency with applicable building and zoning regulations.
- D. Exterior storage or display of refuse, equipment, materials, goods, wares or merchandise associated with the Vendor is prohibited.

9.18.090 Condition/Appearance of Motorized Food Wagon and Conveyance

- A. The Vendor shall display, in plain view and at all times, current permits and licenses in or on their vehicle.
- B.** Any Motorized Food Wagon or Conveyance used in the course of Vending shall be entirely self-sufficient in regards to gas, water, and telecommunications. Should any utility hook-ups or connections to on-site utilities be required, the Vendor shall be required to apply for appropriate permits to ensure building and public safety and consistency with applicable building and zoning regulations.
- C. The Vendor shall not discharge items from any Motorized Food Wagon or Conveyance vehicle onto the sidewalk, gutter, storm inlets, or streets.

9.18.100 Lighting

The Vendor shall install adequate lighting to ensure customer safety. Lighting shall be directed downwards and away from public streets and adjacent properties.

9.18.110 Sanitation

- A. All Motorized Food Wagons or Conveyances shall operate out of a Commissary pursuant to California Health and Safety Code section 114287.
- B.** All Motorized Food Wagons or Conveyances shall be equipped with refuse containers large enough to contain all refuse generated by the operation of such a vehicle, and the Vendor of the Motorized Food Wagon or Conveyance shall pick up all refuse generated by such operation within a twenty-five (25)-foot radius of the vehicle before such vehicle is moved. No Vendor shall dispose of any trash or refuse in any such public or private trash receptacle other than a trash receptacle owned, operated, or otherwise provided by and under the control of such vendor.
- C. A Motorized Food Wagon or Conveyance shall comply with California Health and Safety Code section 114299.5 regarding the availability of adequate toilet facilities for use by food service personnel.

9.18.120 Safety and Security

- A. **No** Vending shall be permitted except after the Motorized Food Wagon or Conveyance has been brought to a complete stop and parked in a lawful manner.

- B. The Vendor shall install signage in a visible location indicating that loitering is not permitted and customers may only remain on the lot for up to fifteen (15) minutes after receiving their food.
- C. The Vendor shall enforce the no loitering rule.

9.18.130 Applicability Of Regulations To Existing Business

The provisions of this article shall be applicable to all persons and businesses described herein whether the herein described activities were established before or after the effective date of the ordinance enacting this ordinance into law.

9.18.140 Penalties

Any person violating any provisions or failing to comply with any of the mandatory requirements of this Chapter is subject to the following penalties:

A. Fines

- 1. Violations are subject to the Administrative Enforcement Provisions of this code and the fines established in LMC Section 1.10.260;
- 2. Three or more violations of this Chapter during any one-year period shall be deemed misdemeanors, punishable as specified in Section 1.08.010(B) of this Code.

B. Suspension/Revocation of Permit to Operate/Conditional Permit to Operate

1. Procedure

In the event of a violation of the regulations of this Chapter, the City Manager ~~or~~ his/her designee shall issue a Notice of Intent to Suspend or Revoke the Permit to Operate. The Vendor shall have the right to request a hearing, as provided in LMC Chapter 1.10, within 10 days of service of that Notice of Intent. If no hearing is requested, the permit shall be revoked or suspended upon the expiration of the appeal period.

2. Basis For Suspension/Revocation of Permit to Operate

- a. Any Permit to Operate may be suspended and/or revoked by the City Manager or designee after a review, where it is determined that:
 - i. The Vendor has violated the provisions of this Chapter; or
 - ii. The Vendor has committed any act or engaged in action, which would constitute grounds for denial of the Permit to Operate pursuant to Section 9.18.040.(D) of this Chapter; or
 - iii. The Vendor has engaged in fraud, misrepresentation, or false statements in conducting the vending operation or activity; or
 - iv. The Vendor has failed to correct a violation within the time period ordered by the City; or
 - v. The Vendor has operated or continued to operate without a Permit to Operate or after a Permit to Operate has been suspended.

3. Basis For Suspension/Revocation of a Conditional Permit to Operate

- a. Any Conditional Permit to Operate may be suspended or revoked for:
 - i. Any of the basis to suspend or revoke a Permit to Operate; or
 - ii. Any violation of the terms of the Conditional Permit to Operate.

9.18.150 Enforcement

The provisions of this Chapter may be enforced by any peace officer, or the director of Community Development or his/her designee.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 4. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 5. This ordinance shall be published one time in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi and shall take effect thirty days from and after its passage and approval.

Approved this ____ day of _____, 2007

BOB JOHNSON
Mayor

Attest:

RANDI JOHL
City Clerk

=====

State of California
County of San Joaquin, ss.

I, Randi Johl, City Clerk of the City of Lodi, **do** hereby certify that Ordinance No. _____ was introduced at a regular meeting of the City Council of the City of Lodi held _____, 2007, and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 2007, by the following vote:

AYES: COUNCIL MEMBERS -

NOES: COUNCIL MEMBERS -

ABSENT: COUNCIL MEMBERS -

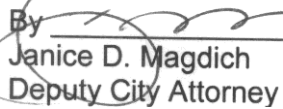
ABSTAIN: COUNCIL MEMBERS -

I further certify that Ordinance No. _____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

RANDI JOHL
City Clerk

Approved as to Form:

D. STEPHEN SCHWABAUER
City Attorney

By 
Janice D. Magdich
Deputy City Attorney



*Please immediately confirm receipt
of this fax by calling 333-6702*

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT PUBLIC HEARING TO CONSIDER INTRODUCTION OF AN ORDINANCE
AMENDING THE LODI MUNICIPAL CODE TO CREATE
COMPREHENSIVE REGULATIONS FOR MOBILE FOOD VENDORS AND
ITINERANT MERCHANTS

PUBLISH DATE: SATURDAY, MAY 26, 2007


LEGAL AD

TEAR SHEETS WANTED: One (1) please

SEND AFFIDAVIT AND BILL TO: RANDI JOHL, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, MAY 24, 2007

ORDERED BY: RANDI JOHL
CITY CLERK


JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

DANA CHAPMAN
ADMINISTRATIVE CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

LNS Faxed to the Sentinel at 369-1084 at 2:27pm (time) on 5-24-07 (date) 2 (pages)
Phoned to confirm receipt of all pages at _____ (time) _____ JLT _____ DRC _____ JMP (initials)



DECLARATION OF POSTING

PUBLIC HEARING TO CONSIDER INTRODUCTION OF AN ORDINANCE AMENDING THE LODI MUNICIPAL CODE TO CREATE COMPREHENSIVE REGULATIONS FOR MOBILE FOOD VENDORS AND ITINERANT MERCHANTS

On Thursday, May 24, 2007, in the City of Lodi, San Joaquin County, California, a Notice of Public Hearing to consider introduction of an ordinance amending the Lodi Municipal Code to create comprehensive regulations for mobile food vendors and itinerant merchants (attached and marked as Exhibit A) was posted at the following locations:


Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May **24**, 2007, at Lodi, California.

ORDERED BY:

RANDI JOHL
CITY CLERK


JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

DANA R. CHAPMAN
ADMINISTRATIVE CLERK



DECLARATION OF MAILING

PUBLIC HEARING TO CONSIDER INTRODUCTION OF AN ORDINANCE AMENDING THE LODI MUNICIPAL CODE TO CREATE COMPREHENSIVE REGULATIONS FOR MOBILE FOOD VENDORS AND ITINERANT MERCHANTS

On May 25, 2007, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a Notice of Public Hearing to consider introduction of an ordinance amending the Lodi Municipal Code to create comprehensive regulations for mobile food vendors and itinerant merchants, attached hereto Marked Exhibit A. The mailing list for said matter is attached hereto, marked Exhibit B.


There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 25, 2007, at Lodi, California.

ORDERED BY:

RANDI JOHL
CITY CLERK, CITY OF LODI


JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

DANA R. CHAPMAN
ADMINISTRATIVE CLERK



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: July 18, 2007

Time: 7:00 p.m.

For information regarding this notice please contact:

Randi Johl

City Clerk

Telephone: (209) 333-6702

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, July 18, 2007**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider approval of the following item:

- a) **Introduction of an ordinance amending the Lodi Municipal Code to create comprehensive regulations for mobile food vendors and itinerant merchants**

Information regarding this item may be obtained in the Community Development Department, 221 West Pine Street, Lodi, (209) 333-6711. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk, City Hall, 221 West Pine Street, 2nd Floor, Lodi, 95240, at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:

Randi Johl
City Clerk

Dated: May 16, 2007

Approved as to form:

D. Stephen Schwabauer
City Attorney



CIUDAD DE LODI

Foro de Carnegie
305 West Pine Street, Lodi

Fecha: Julio 18, 2007

Horario: 7:00 p.m.

Para informacion sobre este aviso favor de comunicarse con:

Randi Johl
Oficinista de la Ciudad
Telefono: (209) 333-6702

AVISO DE LA AUDIENCIA PÚBLICA

EL AVISO SE DA POR ESTE MEDIO el Miercoles, 18 de Julio, 2007, a la hora de 7:00 p.m., o tan pronto despues de que el material pueda ser oído, el Consejo de la Ciudad conducira una audiencia publica en el **Foro de Carnegie**, 305 West Pine Street, Lodi, para considerar la aprobacion del punto siguiente:

- a) **Introducción de una ordenanza que enmienda el código Municipal de la ciudad de Lodi para crear regulaciones compresivas para los vendedores moviles de alimento y los comerciantes ambulantes.**

Informacion con respecto a este articulo se puede obtener en el Departamento del Desarrollo de la Comunidad, 221 West Pine Street, Lodi, (209) 333-6711. Se invita a todas las personas interesadas que presenten sus opiniones y cornentarios sobre esta material. Declaraciones escritas se pueden archivar con la Oficinista de la Ciudad, en City Hall, 221 West Pine Street, 2^{do} Piso, Lodi, 95240, en cualquier rnomento antes de la audiencia, y declaraciones orales se pueden hacer en la audiencia.

Si usted desafia el terna en corte, usted puede ser linitado a plantear solarnente esas ediciones que usted o otra persona en la audiencia publica descrita en este aviso o en correspondencia escrita entregada a la Oficinista de la Ciudad, 221 West Pine Street, en o antes de serrar la audiencia publica.

Por orden del Consejo de la Ciudad de Lodi:

Randi Johl
Oficinista de la Ciudad

Fecha: 16 de Mayo, 2007

Aprobado como forma:

D. Stephen Schwabauer
Abogado de la Ciudad

EXHIBIT B

N/E corner of Kettleman Lane and Hutchins St.

APN	OWNER	ADDRESS	CITY	STATE	ZIP
03119009	NANTT, ENOCH G TR ETAL	1315 S HUTCHINS ST	LODI	CA	95240
03119010	MYERS, JEAN R TR	1321 S HUTCHINS ST	LODI	CA	95240
03119011	BENDER, IRVIN R & L TRS	PO BOX 1014	WOODBIDGE	CA	95258
03119012	BENDER, IRVIN R TR TR ETAL	PO BOX 1014	WOODBIDGE	CA	95258
03119018	PENTACOSTAL CHURCH GOD OF AMER	7627 LAUPPE LN	CITRUS HEIGHTS	CA	95621
03119019	PENTECOSTAL CH OF GOD OF AMERI	510 RIMBY AVE	LODI	CA	95240
03119020	JOLLEY, FRANCES R TR	1325 S HUTCHINS ST	LODI	CA	95240
03119025	VICE, ROGER L & BARBARA TR	521 W KETTLEMAN LN	LODI	CA	95240
03119026	ZIMMERMAN, ROSE ETAL	13078 MINDANAO WAY #105	MARINA DEL REY	CA	90292
04513013	WILDMAN, CAROLINE C TR	17081 N DE VRIES RD	LODI	CA	95242
04513014	WILLIAMSON, KEVIN M & SABRA R	1315 S LEE AVE	LODI	CA	95240
04513015	AZEVEDO, BENJAMIN JR	1319 S LEE ST	LODI	CA	95240
04513016	SHAVOLEY, N W & CECILE	1323 S LEE AVE	LODI	CA	95240
04513017	STEELE, DIANE A	1329 S LEE AVE	LODI	CA	95240
04513018	TOSCHI, ROBIN	2645 W ELM ST	LODI	CA	95242
04513019	USA GASOLINE CORPORATION	905 RANCHO CONEJO BLVD	NEWBURY PARK	CA	91320
04513021	PERLEGOS, GEORGIA	PO BOX 1823	LODI	CA	95241
04513022	PEAVY, MICHAEL S & LOUISE C	1328 S HUTCHINS ST	LODI	CA	95240

04513023	GATES, DAVID L & BETTY L TR	540 E	LODI	CA	95242
04513024	LIKINS, JAMES F & JUDY TR	1826 W KETTLEMAN LN #A3	LODI	CA	95242
04513025	PETERSON, JAMES W & SANDRA L	8267 WINDWOOD	ELK GROVE	CA	95758
04513026	LOVDAHL, KEVIN	1308 S HUTCHINS ST	LODI	CA	95240
04513038	PERLEGOS, GEORGIA	PO BOX 1823	LODI	CA	95241
04514001	BAFFONI, IVERN V & IONA TR ETA	PO BOX 3469	MODESTO	CA	95353
04514002	BAFFONI, IVERN V & IONA TR ETA	PO BOX 3469	MODESTO	CA	95353
04515004	MYERS, JEAN R TR	1316 S LEE AVE	LODI	CA	95240
04515005	CASTILLO, JUAN P & MARIA JULIA	1320 S LEE AVE	LODI	CA	95240
04515006	MUNIZ, BERTHA ETAL	1324 S LEE AVE	LODI	CA	95240
04515007	NUNEZ, MIGUEL & KARLA	1328 S LEE AVE	LODI	CA	95240
04515008	BRANDT, BRENDA	11 N LOMA DR	LODI	CA	95242
04515009	MATTICE, GLADYS J	1323 S PLEASANT	LODI	CA	95240
04515010	WESSELS, NICOLE G	1321 S PLEASANT AVE	LODI	CA	95240
06004012	INLAND WESTERN MDS PORTFOLIO L	22301 FOOTHILL BLVD MS 4340	HAYWARD	CA	94541
06004013	GOLDEN RESTAURANT OPERATIONS I	PO BOX 66207 AMF CHARE	CHICAGO	IL	60666
06202003	COMMERCIAL NET LEASE REALTY IN	450 S ORANGE AVE SUITE 900	ORLANDO	FL	32801
06202005	EUCLID SHOPPING CENTER LLC	508 W 30TH ST	NEWPORT BEACH	CA	92663
06202041	LODI, CITY				00000
06202042	SINGH, SUKH C &	420 W KETTLEMAN	LODI	CA	95240

	PERMINDER K TR	LN			
06202043	SANDERS, ANDREA BARBERA ETAL	PO BOX 789	LODI	CA	95241

APN	OWNER	ADDRESS	CITY	STATE	ZIP
04712014	MENDONCA, ALBERTO I & MARIA C	2629 AGATE CT	SANTA CLARA	CA	95051
04712015	BABCOCK, GARY & G	318 E VINE ST	LODI	CA	95240
04712016	GABRIEL, APOLONIO T & ELENA P	2132 GATEWAY CIR	LODI	CA	95240
04712017	HESS, IDA M TR	PO BOX 443	LODI	CA	95241
04712018	HESS, IDA M TR	PO BOX 493	LODI	CA	95241
04712019	GONZALES, SALVADOR & FRANCES	336 E VINE ST	LODI	CA	95240
04712020	RODRIGUEZ, LEONARDO V ETAL	901 CENTRAL AVE	LODI	CA	95240
04712021	ITEN, DONALD E & VICKI L TR	1539 PORTOLA	STOCKTON	CA	95209
04712022	SOTO FELIPE, J TRINIDAD & OCTA	913 S CENTRAL AVE	LODI	CA	95240
04712023	ZAMORA, ZELMIRA	2207 W TOKAY ST	LODI	CA	95242
04712024	JONES, TONY W	333 WATSON ST	LODI	CA	95240
04712025	LUNA, AUSENCIO & I	329 WATSON ST	LODI	CA	95240
04712026	WHITE, TED	3077 JENNIFER WAY	SAN JOSE	CA	95124
04714029	SANCHEZ, PEDRO O	321 E CHERRY ST	LODI	CA	95240
04714032	HUERTA RUBIO, VICTOR M ETAL	316 CHERRY ST	LODI	CA	95240
04714033	BOYD, JOHN P	322 CHERRY ST	LODI	CA	95240
04714034	SAUCEDA, RUMALDO R ETAL	500 BRANDYWINE DR	LODI	CA	95240
04714035	AHMID, SAJJAD	339 E VINE ST #3	LODI	CA	95240
04714036	MARQUEZ, CONRAD & MARIA	333 E VINE ST	LODI	CA	95240

04714037	GOMEZ, OCTAVIO GOMEZ	331 E VINE ST	LODI	CA	95240
04714038	MARTINEZ, NADINE B	3704 22ND AVE	SACRAMENTO	CA	95820
04714039	MILLER, BARBARA L TR	323 E VINE ST	LODI	CA	95240
04714040	LONGMIRE, JOSEPH E & LISA A	313 E VINE ST	LODI	CA	95240
04714049	FERNANDEZ, RAMON MONTANEZ	845 S CENTRAL AVE	LODI	CA	95240
04723005	VARGAS, SALVADOR C & ADRIANNA	815 S CENTRAL AVE	LODI	CA	95240
04723006	HUGHES, ANN TR	821 S CENTRAL AVE	LODI	CA	95240
04723007	EBENEZER CONGREGATIONAL CHURCH	PO BOX 1013	LODI	CA	95241
04723010	FLORES, RAMIRO G & ELIZABETH R	333 CHERRY ST	LODI	CA	95240
04723011	RENTERIA, LOUIS TR	325 CHERRY ST	LODI	CA	95240
04723012	CHARCO, AGUSTIN	329 CHERRY ST	LODI	CA	95240
04730001	OROPEZA, ORLANDO	900 S CENTRAL AVE	LODI	CA	95240
04730002	ARROYO, DAVID & MARIA	412 E VINE ST	LODI	CA	95240
04730003	ALVARADO, JOAQUIN ETAL	420 E VINE ST	LODI	CA	95240
04730004	WILLIAMS, MYRON	905 WELLSWOOD AVE	LODI	CA	95240
04730005	WILLIAMS, DAVID & JANE	906 S CENTRAL AVE	LODI	CA	95240
04730006	ANDERSON, A K & L LIFE ES	909 WELLSWOOD	LODI	CA	95240
04730007	OLSEN, GERALD A & MARILYN K	912 S CENTRAL AVE	LODI	CA	95240
04730008	NELSON, STEVEN C & HEIDI M	913 WELLSWOOD AVE	LODI	CA	95240
04730009	VERDOZA, ANTONIO R ETAL	918 S CENTRAL AVE	LODI	CA	95240
04731124	CURRY, MICHAEL E & TRACEY L	635 ALDEN GLEN DR	TRACY	CA	95376
04731201	GONZALEZ, JUAN & RAMONA	PO BOX 272	WOODBIDGE	CA	95258

04731202	ZHENG, ZHI ETAL	1937 DONNER AVE	SAN FRANCISCO	CA	94124
04731203	BENDER, GARY D SR TR	5325 E HARNEY LN	LODI	CA	95240
04731204	TAYLOR, RODGER & LAURA	414 CHERRY ST	LODI	CA	95240
04731221	CARBAJAL, JULIO & HERENDIDA ET	413 E VINE ST	LODI	CA	95240
04731222	TOWNE, DAVID B & SHERRY A	411 E VINE ST	LODI	CA	95240
04731223	KHAN, MOHAMMAD R & N	409 E VINE ST	LODI	CA	95242
04731224	MOJALLI, MAURICIO M G KALMAZ TR	10727 HIDDEN GROVE CIR	STOCKTON	CA	95209
04731225	VIRAMONTES, LUIS G & M G	407 SPARROW LN	LODI	CA	95240
04731226	ESPINOZA, MANUEL & GRACIELA	824 S CENTRAL AVE	LODI	CA	95240

APN	OWNER	ADDRESS	CITY	STATE	ZIP
04307301	BUDDHIST CHURCH OF LODI	23 N STOCKTON ST	LODI	CA	95240
04307302	JAPANESE AMERICAN CITZ LEAGUE	23 N STOCKTON ST	LODI	CA	95240
04307303	FERRY, ADRIANA S TR	PO BOX 2411	LODI	CA	95241
04307304	PEREDES, HERIBERTO L & SYLVIA	19444 TAMI LN	WOODBIDGE	CA	95258
04307305	MELENDREZ, FLORENTINO	17 N WASHINGTON ST	LODI	CA	95240
04307306	BEOSHANZ, EDGAR W & HELEN J TR	PO BOX 578	WOODBIDGE	CA	95258
04307307	BEOSHANZ, EDGAR W & HELEN J TR	PO BOX 578	WOODBIDGE	CA	95258
04307308	WALKER RODERICK PROPERTIES LLC	612 TARA PL	LODI	CA	95240
04307309	HAPPEE, DIRK J & MARY JO	21914 41ST AVE SE	BOTHELL	WA	98021
04307401	HAPPEE, DIRK J & MARY JO	21914 41ST AVE SE	BOTHELL	WA	98021
04307405	ALAM,	1107 S	LODI	CA	95240

	MOHAMMAD & S	CENTRAL AVE		CA	95240
04307406	RUIZ, GUILLERMO ETAL	435 PERLEGOS WAY	LODI		95240
04307407	WINTERHALDER, JAMES E & GAYLIE	17 S WASHINGTON ST	LODI	CA	95240
04307410	AGRUEL, MARCO	217 E OAK ST	LODI	CA	95240
04307411	DAD, JAHAN	213 E OAK ST	LODI	CA	95240
04307412	GARCIA GRAJEDA, JAIME & STEPHA	211 E OAK ST	LODI	CA	95240
04307413	AZIZ, ABDUL	209 E OAK ST	LODI	CA	95240
04307416	COLLINS, ROY L & SANDRA GALE T	PO BOX 578	WOODBIDGE	CA	95258
04307501	MC GEE, SHIRLEY	26 N WASHINGTON ST	LODI	CA	95240
04307502	PEREZ, ALBERTO & JUANA	22 N WASHINGTON ST	LODI	CA	95240
04307503	H & C INVESTMENTS PTP	1729 LE BEC CT	LODI	CA	95240
04307504	RIOS, JOSE LUIS CHAVEZ	304 CHESTNUT ST	LODI	CA	95240
04307505	HUPPERT, INEZ A TR TR ETAL	1313 W LOCKEFORD ST	LODI	CA	95240
04307513	MALDONADO, JOSE G & YADIRA	317 1/2 E PINE ST	LODI	CA	95240
04307514	MALDONDO, SANTOS C & MATHA	315 E PINE ST	LODI	CA	95240
04307515	MALDONADO, EFRAIN & BERNARDA	311 E PINE ST	LODI	CA	95240
04307516	GARCIA, RAMON & JACKIE O	301 E PINE ST	LODI	CA	95240
04307517	H & C INVESTMENTS PTP	1729 LE BEC CT	LODI	CA	95240
04307518	SAVAGE, DEANE C & MARCIA L	316 E ELM ST	LODI	CA	95240
04307601	MARTIN, TONY & ELSIE	4860 E WOODBRIDGE RD	ACAMPO	CA	95220
04307602	NGUYEN, THAM	306 E PINE ST	LODI	CA	95240
04307603	GALLO, RAUL	306 E PINE ST	LODI	CA	95240
04307604	GERALIS, STARVROS & FOTINI TR	1442 VOELKER DR	LODI	CA	95240

04307605	GERALIS, STARVROS & FOTINI TR	1442 VOELKER DR	LODI	CA	95240
04307606	GERALIS, STARVROS & FOTINI TR	1442 VOELKER DR	LODI	CA	95240
04307617	SALCIDO, JESUS ETAL	14 S WASHINGTON ST	LODI	CA	95240
04308821	KHAN, RAVEZ	9259 EMERALDCREST	ELK GROVE	CA	95624

S/E corner of Turner Rd and Church St.

APN	OWNER	ADDRESS	CITY	STATE	ZIP
04104014	MILLS, JAMES & F K	219 W EUREKA AVE	LODI	CA	95240
04112007	KAITZ, SPENCER R & ROBERTA M T	2811 CASTRO VALLEY BLVD STE 111	CASTRO VALLEY	CA	94546
04112008	LEE, HOMER MAX & JOAN MAVONE T	PO BOX 1690	LODI	CA	95241
04112009	SIMMONS, C F & SHERYL E	2429 E COLLIER RD	ACAMPO	CA	95220
04112010	THOMAS, GWENDOLYN ANN ETAL	913 N CHURCH ST	LODI	CA	95240
04112012	HALL, LONNIE MARIE BRIGGS TR	PO BOX 860	LOCKEFORD	CA	95237
04112013	MAHONEY, RICHARD C & VALERIE J	14990	GALT	CA	95632
04112019	SCOFIELD, ALICE G TR	22473 E BRANDT RD	LODI	CA	95240
04125016	DYER, KENNETH D & W M	13671 E PINTO LANE	LODI	CA	95240
04125035	LODI SKILLED NURSING FACILITY	PO BOX 1598	LODI	CA	95241
04125039	ARBOR SENIOR APARTMENTS PTP	PO BOX 1598	LODI	CA	95241
04134016	M C F H INC	1826 W	LODI	CA	95242

	ETAL	KETTLEMAN LN SUITE D			
04134017	M C F H INC ETAL	1826 W KETTLEMAN LN SUITE D	LODI	CA	95242
04134018	M C F H INC ETAL	1826 W KETTLEMAN LN SUITE D	LODI	CA	95242
04142001	SALISBURY, DONALD L & HELEN E	172 RIVERGATE PL	LODI	CA	95240
04142002	BUNCH, LAURA	19406 BENEDICT DR	WOODBIDGE	CA	95258
04142003	MUNSON, BEVERLY J TR	1212 LAKESIDE	BIRMINGHAM	MI	48009
04142004	BRICKER, DONALD J & JANET D T	184 RIVERGATE PL	LODI	CA	95240
04142005	KNIGHT, MARJORIE E TR	188 RIVERGATE PL	LODI	CA	95240
04142019	MAISCH, MAURICE R & WINNIE A T	151 RIVERGATE DR	LODI	CA	95240
04142020	SHULER, JULIE ANN	155 RIVERGATE PL	LODI	CA	95240
04142021	METTLER, DANIEL & MIRIAM	159 RIVERGATE PL	LODI	CA	95240
04142022	ZAMORA, SIMONA B TR	163 RIVERGATE PL	LODI	CA	95240
04142023	DALTON, MICHAEL L & M P	167 RIVERGATE DR	LODI	CA	95240
04142024	HUDDLESTON, ROBERT A & ANA	171 RIVERGATE PL	LODI	CA	95240
04142025	WITT, THEODORE & C B	PO BOX 428	LODI	CA	95241
04142026	JOHNSON, OSCAR & MARIE	105 RIVERGATE PL	LODI	CA	95240
04142027	WILSON, CAROLYN C	109 W RIVERGATE PL	LODI	CA	95240
04142028	HAAS, MICHAEL R	PO BOX 2300	LODI	CA	95241
04142029	DEUTSCHER, SANDRA	115 RIVERGATE DR	LODI	CA	95240
04142031	RIVERGATE	PO BOX	STOCKTON	CA	95267

	PLACE HOMEOWNERS ASS	70378			
04144001	HICKS, JIMMY & JEANINE	200 RIVER OAKS DR	LODI	CA	95240
04144002	SHARP, KENNETH R	206 RIVER OAKS DR	LODI	CA	95240
04144003	NISHIMORI, KEN & JAYNE	212 RIVER OAKS DR	LODI	CA	95240
04144004	RUSK, ROBERT A & JANAY K	218 RIVER OAKS DR	LODI	CA	95240
04144017	SCHAFER, GERALDINE B TR	207 RIVER OAKS DR	LODI	CA	95240
04144018	ACOSTA, MERCEDES L TR ETAL	201 RIVER OAKS DR	LODI	CA	95240

S/E corner of Lodi Avenue and Central Avenue

APN	OWNER	ADDRESS	CITY	STATE	ZIP
04313006	TAPIA, ELIAS CORONA	2640 E MAIN ST	STOCKTON	CA	95205
04313007	MCCAFFERY, JOHN & KRISTINA	352 E WALNUT ST	LODI	CA	95240
04313008	SALCIDO, JESUS & CHRISTINE	266 RIO MESA CT	GALT	CA	95632
04313009	ALI, SADAQAT & PATRICIA A	400 E WALNUT ST	LODI	CA	95240
04313010	BAMPER, WILLIAM JOSEPH	208 S CENTRAL AVE	LODI	CA	95240
04313011	SANTOS, CELSO & ALICE ETAL	16803 FOX RD	LODI	CA	95240
04313012	LUPIAN, RICARDO & TIFFANY SUSA	408 E WALNUT ST	LODI	CA	95240
04313013	MARTINEZ, SARAH B	12066 PARAMOUNT BLVD #C	DOWNEY	CA	90242
04313014	FLANNAGAN, L D & MARIE	416 E WALNUT ST	LODI	CA	95240
04313015	EDELMAYER, ROSINA TR	2548 52ND ST	SACRAMENTO	CA	95817
04313016	SANTOS, CELSO	16803 N FOX RD	LODI	CA	95240
04313017	AGUILAR,	424 E	LODI	CA	95242

	ALBERTO	WALNUT ST			
04313018	MILLAN, GUADALUPE	428 E WALNUT ST	LODI	CA	95240
04313023	MEIR, MOHAMMAD A	PO BOX 1291	LODI	CA	95241
04313024	MUSHTAQ, YASMIN	429 E LODI AVE	LODI	CA	95240
04313025	JESSE, TARA L	425 E LODI AVE	LODI	CA	95240
04313026	SEVIER, STEVEN	421 E LODI AVE	LODI	CA	95240
04313027	KONSCHAK, VIRGIL & JANIS TR	338 E OAK ST	LODI	CA	95240
04313028	GALVAN, SERGIO & MARIA LETICIA	435 SAN PIETRO LN	LODI	CA	95240
04313029	CONDE, ANGELICA MARIA	409 E LODI AVE	LODI	CA	95240
04313030	BEOSHANZ, EDGAR W & HELEN J TR	PO BOX 578	WOODBIDGE	CA	95258
04313031	BEOSHANZ, EDGAR W & HELEN J TR	PO BOX 578	WOODBIDGE	CA	95258
04313032	JIMENEZ, ROSA I	6363 RIVERBANK CIR	STOCKTON	CA	95219
04313033	SPERLING, GERALD & R F	359 E LODI AVE	LODI	CA	95240
04313034	MATA, CARLOS	353 E LODI AVE	LODI	CA	95240
04313035	KHAN, MOHAMMED D & R	324 E LODI AVE #A	LODI	CA	95240
04313036	HINSZ, GLENN R TR	801 LAVER CT	LODI	CA	95242
04719309	GAMA, RIGOBERTO	408 ALMOND DR	LODI	CA	95240
04719310	INGS, RUSSELL M	9601 OAKWILDE	STOCKTON	CA	95212
04719311	MAGANA, JOSE & LAURA	2552 MERCHANT DR	TRACY	CA	95377
04719313	MASOOD, MOHAMMAD ETAL	PO BOX 752	LODI	CA	95241
04719314	MASOOD, MOHAMMAD ETAL	PO BOX 752	LODI	CA	95241
04719315	PURDY, ALICE J	315 S CENTRAL AVE	LODI	CA	95240

04719316	LODI VICTORY CENTER MINISTR	321 S CENTRAL AVE	LODI	CA	95240
04719317	SYVERSON, MAGDALENA TR	331 HILBORN ST	LODI	CA	95240
04719318	ROSALES, FELIPE ETAL	333 HILBORN ST	LODI	CA	95240
04719319	LIKINS, JAMES F & JUDY TR	1318 LAKESHORE DR	LODI	CA	95242
04719421	EWELL, DAN EDWARD JR	401 S CENTRAL AVE	LODI	CA	95240
04735101	BUZUNIS, GARY R & LOUELLA TR	964 LUCAS RD	LODI	CA	95240
04735102	SOLIGAN, GREGORY R & CAROL E	18871 HIDDEN LAKES LN	ACAMPO	CA	95220
04735103	BUZUNIS, GARY R & LOUELLA TR	964 LUCAS RD	LODI	CA	95240
04735104	BUZUNIS, GARY R & LOUELLA TR	964 LUCAS RD	LODI	CA	95240
04735105	CARACOZA, SYLVIA E	PO BOX 2406	LODI	CA	95241
04735106	BUZUNIS, GARY R & LOUELLA	964 LUCAS RD	LODI	CA	95240
04735107	PANIAGUA, DAVID & TERESA C	3137 NICOLETTA LN	STOCKTON	CA	95212
04735108	HERNANDEZ, SERGIO	424 E LODI AVE	LODI	CA	95240
04735109	MACEDO, TONY E & LUPITA	428 E LODI AVE	LODI	CA	95240
04735110	PAREDES, HERIBERTO L & SYLVIA	19444 TAMI LN	WOODBIDGE	CA	95258
04735118	AHSAN, AMIN	433 HILBORN ST	LODI	CA	95240
04735119	HERNANDEZ, ANDRES F & RUTH R	429 E HILBORN ST	LODI	CA	95240
04735120	HROVAT, WILLIAM & B TRS	1556 IRIS DR	LODI	CA	95240
04135121	SNAPP, CHESTER & M R	421 HILBORN ST	LODI	CA	95240
04735122	RIVIECCIO,	417	LODI	CA	95240

	G 6 S ETAL	HILBORN ST			
04735123	CRUZ, ENRIQUETA C	413 HILBORN ST	LODI	CA	95240
04735124	BAUMBACH, DALE R &	2886 STONEY	ACAMPO	CA	95220
04735125	MARTINEZ, MANUEL & MARIA D	405 HILBORN ST	LODI	CA	95240
04735126	LOPEZ, ZOSIMO M	1614 ROBERTS AVE	SAN JOSE	CA	95122
04735201	MAGAR, EMMETT J &	400 S CENTRAL	LODI	CA	95240
04735204	HERNANDEZ, SILVESTRE & S	408 HILBORN ST	LODI	CA	95240
04735205	LESSARD, PIERRE J	8556 CORD WAY	SACRAMENTO	CA	95828
04735207	CAPPS, GORDON L JR & SHARON L	3302 CALIMYRNA RD	ACAMPO	CA	95220

APN	OWNER	ADDRESS	CITY	STATE	ZIP
04304805	UNION PACIFIC RAILROAD COMPANY	1416 DODGE ST ROOM 830	OMAHA	NE	68179
04306101	CHERRY EXPORT LEASING CO	PO BOX 877	LODI	CA	95241
04306102	PETERSEN, JOSEPH P & JEANNETTE	14090 N ALPINE RD	LODI	CA	95240
04306103	UNION PACIFIC RAILROAD COMPANY	1416 DODGE ST ROOM 830	OMAHA	NE	68179
04306301	BARBEE, ROBERT E & NYLENE A	131 RIDGE DR	LODI	CA	95240
04306302	FASZER, DONALD R TRS ETAL	636 DAISY AVE	LODI	CA	95240
04306303	MORALES, ELVIRA	112 E WALNUT ST	LODI	CA	95240
04306304	RANCHHOD, MAHESH	4225 E HAMMER LN	STOCKTON	CA	95212
04306306	MARTIN, TONY 6 ELSIE	4860 E WOODBIDGE RD	ACAMPO	CA	95220

04306307	SCHIRM, CATHERINE M	211 SO STOCKTON ST	LODI	CA	95240
04306308	OLSON, REX IN TRUST	478 SANDSTONE CT	WOODBIDGE	CA	95258
04306309	OLSON, EDWARD & E TRS	1306 BURGUNDY CT	LODI	CA	95240
04306501	STEINBERG, GERALDINE F ETAL	5918 STONERIDGE MALL RD	PLEASANTON	CA	94588
04531010	UNION PACIFIC RAILROAD COMPANY	1416 DODGE ST ROOM 830	OMAHA	NE	68179
04702007	REILLY, KELLY F	5942 ST ANDREWS DR	STOCKTON	CA	95219
04702008	OCHOA, FIDEL	12443 N HWY 88	LODI	CA	95240
04702009	BONOTTO, R & G COTRS ETL	3294 W SARGENT RD	LODI	CA	95240
04702010	BONOTTO, R J & G L COTRS	3294 W SARGENT RD	LODI	CA	95240
04702011	FARDSALEHI, HAMID & SILVINA	PO BOX 2008	LODI	CA	95241
04702012	FARDSALEHI, HAMID & SILVINA	PO BOX 2008	LODI	CA	95241
04702013	RAMIREZ, RITO	315 S STOCKTON ST	LODI	CA	95240
04702014	SANDOVAL, JORGE	317 S STOCKTON ST	LODI	CA	95240
04702015	MILLER, MARVIN E & CAROL R TR	633 CARLSTON AVE	OAKLAND	CA	94610
04702016	RAMOS CID, TOMAS	323 S STOCKTON ST	LODI	CA	95240
04702017	AGUILAR, ARTURO & A T	401 S STOCKTON ST	LODI	CA	95240
04702018	SALIM, MOHAMMAD & S	1812 W KETTLEMAN LN	LODI	CA	95242
04702019	DIN, SHOUKAT	413 S STOCKTON ST	LODI	CA	95240
04702020	REYNOLDS RANCHES PTP	33 E TOKAY ST	LODI	CA	95240
04702021	REYNOLDS RANCHES PTP	33 E TOKAY ST	LODI	CA	95240
04702022	REYNOLDS RANCHES PTP	33 E TOKAY ST	LODI	CA	95240
04702056	REYNOLDS RANCHES PTP	33 E TOKAY ST	LODI	CA	95240

04702057	UNION PACIFIC RAILROAD COMPANY	1416 DODGE ST ROOM 830	OMAHA	NE	68179
04702058	UNION PACIFIC RAILROAD COMPANY	1416 DODGE ST ROOM 830	OMAHA	NE	68179
04702063	JOHNSON, RODERICK L TR ETAL	9094 SHADY HOLLOW WAY	FAIR OAKS	CA	95628
04719101	H & M PROPERTY MANAGEMENT LLC	1250 EDGEWOOD DR	LODI	CA	94240
04719102	H & M PROPERTY MANAGEMENT LLC	1250 EDGEWOOD DR	LODI	CA	94240
04719103	GIANNONI, JOHN M JR & KERRY M	2960 APPLEWOOD DR	LODI	CA	95242
04719126	LEWIS, BLENDIA	PO BOX 7	MURPHY	ID	83650
04719127	KHAN, YOUSAF ETAL	838 CORTEZ WAY	LODI	CA	95242
04719128	H & M PROPERTY MANAGEMENT LLC	1250 EDGEWOOD DR	LODI	CA	94240
04719201	LUNA, HENRY GONZALEZ TR	200 HILBORN ST	LODI	CA	95240
04719202	RADOTIC, PETE ETAL	15495 TECKLENBURG RD	LODI	CA	95240
04719203	LUNA, ARMANDINA	204 E HILBORN ST	LODI	CA	95240
04719204	HANSON, RICHARD W & FAY	908 W TURNER RD	LODI	CA	95242
04719205	CORTEZ, GUADALUPE	208 E HILBORN ST	LODI	CA	95240

APN	OWNER	ADDRESS	CITY	STATE	ZIP
04731301	KHAN, JUMMA ETAL	224 ACACIA ST	LODI	CA	95240
04731302	BHAKTA, HASMUKH M & RITA H	807 S CHEROKEE LN	LODI	CA	95240
04132309	BANKS, STEPHEN & CHRISTINE	516 1/2 E TOKAY ST	LODI	CA	95240
04732311	SCHLAHT, RICHARD & R	3148 MOUNT TAMALPAIS	ROSEVILLE	CA	95141

04732403	HESS, IDA M TR	PO BOX 493	LODI	CA	95241
04732404	TELLEZ, ENRIQUE QUIROZ & AMPAR	519 MAPLE ST	LODI	CA	95240
04732405	JAFFER, MISSEL KHAN	521 MAPLE ST	LODI	CA	95240
04732406	KHAN, BANARAS	525 MAPLE ST	LODI	CA	95240
04732410	HESS, BEVERLY TR	PO BOX 35	LODI	CA	95241
04736001	CHATWOOD, SUSAN ETAL	524 E TOKAY ST	LODI	CA	95240
04736002	CHATWOOD, SUSAN ETAL	524 TOKAY ST	LODI	CA	95242
04736003	TRIOLO, RUSSELL & HELEN G TR	1827 EDGEWOOD DR	LODI	CA	95240
04736004	LIRA, JERRY	532 E TOKAY ST	LODI	CA	95240
04736005	VENABLE, VALERIE ANN	532 1/2 E TOKAY ST	LODI	CA	95240
04736006	CHAN, PETER & YUK MUI	701 S CHEROKEE LN	LODI	CA	95240
04737006	MILLER, GLORIA J	6511 VICKSBURG PL	STOCKTON	CA	95207
04737007	BONNIFIELD, PATRICIA L	4911 BUCKLEY COVE WAY	STOCKTON	CA	95219
04737008	HOLLADAY, PRISCILLA E TR	232 E LORETTA AVE	STOCKTON	CA	95207
04737009	KHAN, JUMMA ETAL	224 ACACIA ST	LODI	CA	95240
04737010	GONZALEZ, ISABEL	525 HAROLD ST	LODI	CA	95240
04737011	RIVAS, GERMAN MARTINEZ ETAL	2625 ETCHEVERRY DR	STOCKTON	CA	95212
04737012	KLUVER, GARY L	533A HAROLD ST	LODI	CA	95240
04737013	RALLENS, DANNY LEE	535 1/2 HAROLD ST	LODI	CA	95240
04737014	SICKLER, MATTHEW	535 HAROLD ST	LODI	CA	95240
04737015	GELSOMINI, SISTO C	1806 N WILSON WAY	STOCKTON	CA	95205
04737016	ARIOLA, DONALD BRADFORD TR	PO BOX 2617	LODI	CA	95241
04731017	BARAJAS,	2465 BARGE	STOCKTON	CA	95206

	JUAN J & MARIA C	CT			
04737018	BRUCE, SHEILA K	538 E HAROLD ST	LODI	CA	95240
04737019	MARTIN, RITA	532 E HAROLD ST	LODI	CA	95240
04737020	PATEL, GHANSHYAM A & MITA G ET	528 E HAROLD ST	LODI	CA	95240
04737021	GONZALEZ, VICENTE	524 HAROLD ST	LODI	CA	95240
04737022	DODSON, JOHNNY & ALLIE	520 HAROLD ST	LODI	CA	95240
04737023	GEORGE, MARK & ANNE	9855 E LIBERTY RD	GALT	CA	95632
04737026	CERVANTES, ADAN	512 HAROLD ST	LODI	CA	95240
04737031	KHAN, JUMMA & ARAB S	224 ACACIA ST	LODI	CA	95240
04742004	DANCER, BONNIE TRUSTEE	430 VALLEY AVE	LODI	CA	95240
04742013	ABU ARQOUB, MOHAMMAD	730 CHEROKEE LN	LODI	CA	95240
04742014	ABU ARQOUB, MOHAMMAD	730 CHEROKEE LN	LODI	CA	95240
04744001	IBARRA, RAMON LOZANO	249 ARGOS WAY	LODI	CA	95240
04744048	BADYAL, AMOLAK S ETAL	815 LLOYD ST	LODI	CA	95240
04744060	MARTINEZ, GUADALUPE R	809 LLOYD ST	LODI	CA	95240
04745003	BEST WESTERN ROYAL HOST INN LL	710 S CHEROKEE LN	LODI	CA	95240
04745027	GIANULIAS, CHRIS & PAULINE	3220 PROVINCE TOWN CT	MODESTO	CA	95355
04745028	NGUYEN, BINH N & HONG NGAN T	PO BOX 9367	STOCKTON	CA	95208

S/E corner of Cherokee Lane and Hilborn Street

APN	OWNER	ADDRESS	CITY	STATE	ZIP
04735305	PEREDES, HERIBERTO L & SYLVIA	19444 TAMI LN	WOODBIDGE	CA	95258
04735306	SANCHEZ, FRANCISCO	524 E LODI AVE	LODI	CA	95240

	& MELINDA				
04735307	FARRAGHER, PETER & M M ETAL	1036 YOKUTS CT	LODI	CA	95240
04735308	GUMS, LLOYD P & MILDRED J TR	731 BIRCHWOOD DR	LODI	CA	95240
04735309	WIEBE, LEONE B TR	1106 DEVINE DR	LODI	CA	95240
04735310	WIEBE, LEONE B TR	1106 DEVINE DR	LODI	CA	95240
04735311	AMERICAN USA HOMES LLC	4225 E HAMMER LN	STOCKTON	CA	95212
04735312	BAUER, VERNON & WILMA ETAL	2140 W WALNUT ST	LODI	CA	95242
04735313	GREGORY, THOMAS P ETAL	106 KENTFIELD CT	MARTINEZ	CA	94553
04735314	SHANDS, SAM L & THERESE ANN	525 HILBORN ST	LODI	CA	95240
04735315	BAEZ, JOSE LUIS & ANGELINA	526 E ELM ST	LODI	CA	95240
04735316	BAEZ, JOSE LUIS & ANGELINA	526 E ELM ST	LODI	CA	95240
04735317	OCHOA, JUDITH M	2509 GOLDFINCH DR	CEDAR PARK	TX	78613
04735408	HUNDLEY, DARREN E K & BEATRIZ	512 HILBORN ST	LODI	CA	95240
04735409	MENDOZA, HERLINDO	516 HILBORN ST	LODI	CA	95240
04735410	ESPINOZA, JOSE M & EMILIA	520 HILBORN ST	LODI	CA	95240
04735411	AHRENS, EARLE P TR	PO BOX 7689	STOCKTON	CA	95267
04735412	BAUMBACH, DALE R & PEGGY E TR	2886 STONEY CREEK CIR	ACAMPO	CA	95220
04735413	PEREZ, TELESFORA ETAL	532 HILBORN ST	LODI	CA	95240
04735414	RAMIREZ, ERASMO	536 HILBORN ST	LODI	CA	95240
04735415	NAHLA WARRA FAMILY TRUST	8809 HEATHERMIST WAY	ELK GROVE	CA	95624

04735432	LODI UNIFIED, SCHOOL DIST				00000
04735433	CHERIE COMMERCIAL LLC	1430 LORIMER WAY	ROSEVILLE	CA	95678
04745017	MIDWESTERN INVESTORS GROUP ETA	3941 PARK DR BLDG 20 SUITE 313	EL DORADO HILLS	CA	95762
	INVESTORS GROUP ET	DR BLDG 20 SUITE 313	HILLS		
	INC OF CALIF	ST #217			
04145031	MIDWESTERN INVESTORS GROUP ET	3941 PARK DR BLDG 20 SUITE 313	EL DORADO HILLS	CA	95762
04745034	ANGELSPEED II LLC	1640 W SHAW AVE #107	FRESNO	CA	93711
04745035	OS LODI LLC	3333 BEVERLY RD B2-131A	HOFFMAN ESTATES	IL	60175
04746013	OKAZAKI, HARUKO TRUSTEE	2143 W ELM ST	LODI	CA	95240
04746014	OKAZAKI, HARUKO TRUSTEE	2143 W ELM ST	LODI	CA	95240
04746011	LODI UNIFIED, SCHOOL				00000

S/W corner of Cherokee Lane and Locust St.

APN	OWNER	ADDRESS	CITY	STATE	ZIP
04318001	BERTOLONE, MICHAEL & MARIA C T	10010 SANTA TERESA BLVD	GILROY	CA	95020
04318002	BERTOLONE, MICHAEL & MARIA C T	10010 SANTA TERESA BLVD	GILROY	CA	95020
04318003	USA PETROLEUM CORP	905 RANCHO CONEJO BLVD	NEWBURY PARK	CA	91320
04318004	CASTRO, KARLA	540 E ELM ST	LODI	CA	95240
04318005	LERMA, PAUL V & GERALDINE	731 WILLOW GLEN DR	LODI	CA	95240
04319010	WONG, JASON & DALE	524 E LOCUST ST	LODI	CA	95240

04319011	VIRAMONTES, RAFAEL ETAL	PO BOX 1422	LOCKEFORD	CA	95237
04319012	JIMENEZ, PATRICIA	532 E LOCUST ST	LODI	CA	95240
04319013	VAZQUEZ, SANTIAGO	532 1/2 E LOCUST ST	LODI	CA	95240
04319014	VALENZUELA, CATARINO V TR	536 E LOCUST ST	LODI	CA	95240
04319015	GREGG, DARRYL E & RUTH L TR	811 YORK ST	LODI	CA	95240
04319016	THATER, LUZVIMINDA B	1313 E ACAMPO RD	ACAMPO	CA	95220
04319017	GREGG, DARRYL & RUTH	811 YORK ST	LODI	CA	95240
04319018	VIRAMONTES, RAFAEL ETAL	PO BOX 1422	LOCKEFORD	CA	95237
04319019	AHMAD, RIAZ & FAUZIA	1317 TYLER CT	WOODLAND	CA	95776
04319020	SCHLEISSNER, MARGARET ROSE	1510 W KETTLEMAN LN	LODI	CA	95242
04319021	KLINGER, ROBERT W & MAUREEN	PO BOX 99535	STOCKTON	CA	95209
04319022	BECERRA, RUBEN & XOCHITL	529 E ELM ST	LODI	CA	95240
04319023	ENSMINGER, ARTHUR & LORETTA TR	221 AUDUBON DR	LODI	CA	95240
04320209	WEGAT, HOWARD A JR & BARBARA T	23192 N DUSTIN RD	ACAMPO	CA	95220
04320210	PACIFIC GAS &, ELECTRIC CO				00000
04320211	KAPINIARIS, FRANK	PO BOX 341	VICTOR	CA	95253
04320214	PERLEGOS, PETE	15506 N CURRY AVE	LODI	CA	95240
04320215	PERLEGOS, GEORGE	15506 N CURRY RD	LODI	CA	95240
04320216	PERLEGOS, GEORGE	15506 N CURRY RD	LODI	CA	95240
04320217	GREY, LARRY L & K M	7479 BOBBIE WY	ROHNERT PARK	CA	94928
04320218	PAREDES, HERIBERTO L & SYLVIA	19444 TAMI LN	WOODBIDGE	CA	95258
04320228	LODI, CITY OF	CITY HALL	LODI	CA	95240
04321013	SINGH, JYOTI & SATBIR	216 N CHEROKEE	LODI	CA	95240

		LN			
04321017	SINGH, JYOTI S & SATBIR K	216 N CHEROKEE LN	LODI	CA	95240
04321019	GROSS, KEITH JR	814 W LOCUST ST	LODI	CA	95240
04321020	SUBLABAN, NASSER & GRISELDA	200 N CHEROKEE LN	LODI	CA	95240
04321021	SUBLABAN, NASSER	200 N CHEROKEE LN	LODI	CA	95240
04321027	SEMAS LIMITED PARTNERSHIP	1181 FORREST LAKE RD	ACAMPO	CA	95220
04321042	PATEL, KANU & URMILA	PO BOX 263	LODI	CA	95241
04321048	KNOX, DAVID G TR	633 E VICTOR RD	LODI	CA	95240
04321049	GARCIA, MARC E & TAMARA J	9831 TREETOP DR	STOCKTON	CA	95209
04321051	JSGS LEASING COMPANY	1700 W ANAHEIM ST	LONG BEACH	CA	90813
04321061	ANTHEUNISSE, ERIC R	110 N CHEROKEE LN	LODI	CA	95240
04321062	KFP LODI LLC	118 N CHEROKEE LN	LODI	CA	95240
04321065	GIANULIAS, CHRIS & PAULINE	3220 PROVINCE TOWNE CT	MODESTO	CA	95355

S/W corner of Cherokee Lane and Maple St.

APN	OWNER	ADDRESS	CITY	STATE	ZIP
04731301	KHAN, JUMMA ETAL	224 ACACIA ST	LODI	CA	95240
04731302	BHAKTA, HASMUKH M & RITA H	807 S CHEROKEE LN	LODI	CA	95240
04731303	PATEL, RAKESH & SMITA R	815 S CHEROKEE LANE	LODI	CA	95240
04731401	DEL TORO, ROBERTO	822 S GARFIELD ST	LODI	CA	95240
04731402	COLLINS, GARY	18995 SWEET WILLIAM	SONOMA	CA	95476
04731403	CANEPA, CAROL J TR	131 S ORANGE AVE	LODI	CA	95240
04731408	ORDINOLA, JOSE LUCIANO ETAL	8 S CRESCENT AVE	LODI	CA	95240

04732402	HORNING, HILDA ETAL	505 E MAPLE ST	LODI	CA	95240
04732403	HESS, IDA M TR	PO BOX 493	LODI	CA	95241
04732404	TELLEZ, ENRIQUE QUIROZ & AMPAR	519 MAPLE ST	LODI	CA	95240
04732405	JAFFER, MISSEL KHAN	521 MAPLE ST	LODI	CA	95240
04732406	KHAN, BANARAS	525 MAPLE ST	LODI	CA	95240
04732410	HESS, BEVERLY TR	PO BOX 35	LODI	CA	95241
04737017	BARAJAS, JUAN J & MARIA C	2465 BARGE CT	STOCKTON	CA	95206
04737018	BRUCE, SHEILA K	538 E HAROLD ST	LODI	CA	95240
04737019	MARTIN, RITA	532 E HAROLD ST	LODI	CA	95240
04737020	PATEL, GHANSHYAM A & MITA G ET	528 E HAROLD ST	LODI	CA	95240
04737021	GONZALEZ, VICENTE	524 HAROLD ST	LODI	CA	95240
04737022	DODSON, JOHNNY & ALLIE	520 HAROLD ST	LODI	CA	95240
04737023	GEORGE, MARK & ANNE	9855 E LIBERTY RD	GALT	CA	95632
04737026	CERVANTES, ADAN	512 HAROLD ST	LODI	CA	95240
04737027	PERIS, EMMANUEL & EKATERINI TR	508 HAROLD ST	LODI	CA	95240
04737029	GARDEA, LUIS	2201 MOUNTAIN RANCH RD	SAN ANDREAS	CA	95249
04737031	KHAN, JUMMA & ARAB S	224 ACACIA ST	LODI	CA	95240
04738001	JOHNSTON, CYNTHIA	915 COOPER CT	STOCKTON	CA	95210
04738002	ORTIZ, ARISTEO RUIZ	2124 FLORA ST	LODI	CA	95240
04738003	KHAN, MOHAMMAD & ISHRAT B	11605 E HWY 12	LOCKEFORD	CA	95237
04738004	CERVANTES, MARIO &	512 MAPLE ST	LODI	CA	95240

	MARIA				
04738005	BHAKTA, MANUBHAI M & TARAMATI	516 MAPLE ST	LODI	CA	95240
04738006	GARCIA, MARIANO A & D M	517 CHERRY ST	LODI	CA	95240
04738007	PEREZ, ANTONIO C & M G	515 CHERRY ST	LODI	CA	95240
04738008	ORTEGA, GUILLERMO & EMA ETAL	509 1/2 CHERRY ST	LODI	CA	95240
04738009	OCHOA, JOSE	820 S GARFIELD ST	LODI	CA	95240
04738010	CONTRERAS, ROBERTO	432 CHERRY ST	LODI	CA	95240
04738011	SHOAIB, MUHAMMAD & N	812 S GARFIELD ST	LODI	CA	95240
04742004	DANCER, BONNIE TRUSTEE	430 VALLEY AVE	LODI	CA	95240
04742005	CHANG, DONG H & MISEJA	820 S CHEROKEE LN	LODI	CA	95240
04742013	ABU ARQOUB, MOHAMMAD	730 CHEROKEE LN	LODI	CA	95240
04742014	ABU ARQOUB, MOHAMMAD	730 CHEROKEE LN	LODI	CA	95240
04744001	IBARRA, RAMON LOZANO	249 ARGOS WAY	LODI	CA	95240
04744042	VEGA, FRANK J & V C	851 LLOYD ST	LODI	CA	95240
04744043	CORNEJO, FELIPE ETAL	845 S LLOYD ST	LODI	CA	95240
04744044	WALLACE, MITCHEL & THERESA TR	4504 LIN GATE ST	PLEASANTON	CA	94566
04744045	ALCANTARA, LEONARDO JR	833 LLOYD ST	LODI	CA	95240
04744046	NAEEM, KHAN	827 LLOYD ST	LODI	CA	95240
04744047	CLAUSEN, DONALD E & ELIZABETH	620 W LOCUST ST	LODI	CA	95240
04744048	BADYAL, AMOLAK S ETAL	815 LLOYD ST	LODI	CA	95240

04744060	MARTINEZ, GUADALUPE R	809 LLOYD ST	LODI	CA	95240
04745021	GIANULIAS, CHRIS & PAULINE	3220 PROVINCE TOWN CT	MODESTO	CA	95355

APN	OWNER	ADDRESS	CITY	STATE	ZIP
04304704	BARBERA PACKING CO	P O BOX 789	LODI	CA	95241
04304707	LODI CITY OF	PO BOX 3006	LODI	CA	95241
04304709	UNION PACIFIC RAILROAD COMPANY	1416 DODGE ST ROOM 830	OMAHA	NE	68179
04304801	JACKSON, THOMAS L TR ETAL	22468 CUPERTINO RD	CUPERTINO	CA	95014
04304802	BECKMAN, CHARLES M TR ETAL	850 E KETTLEMAN LN	LODI	CA	95240
04304803	BECKMAN, CHARLES M TR ETAL	850 E KETTLEMAN LN	LODI	CA	95240
04304804	ROSEMARIE REALTY INC PSP	1 N CHEROKEE LN	LODI	CA	95240
04304805	UNION PACIFIC RAILROAD COMPANY	1416 DODGE ST ROOM 830	OMAHA	NE	68179
04306101	CHERRY EXPORT LEASING CO	PO BOX 877	LODI	CA	95241
04306102	PETERSEN, JOSEPH P & JEANNETTE	14090 N ALPINE RD	LODI	CA	95240
04306103	UNION PACIFIC RAILROAD COMPANY	1416 DODGE ST ROOM 830	OMAHA	NE	68179
04306209	WEST, LETICIA LEONOR	262 BENSON DR	LODI	CA	95242
04306211	KOEHLER, JOYCE H	115 E WALNUT	LODI	CA	95240
04306216	HARRIS, GREGORY C & PATTI A TR	PO BOX 2163	LODI	CA	95241
04306217	CLARK, ALBERT & ROBBIE	530 N CROSS	LODI	CA	95242

04306301	BARBEE, ROBERT E & NYLENE A	131 RIDGE DR	LODI	CA	95240
04306302	FASZER, DONALD R TRS ETAL	636 DAISY AVE	LODI	CA	95240
04306303	MORALES, ELVIRA	112 E WALNUT ST	LODI	CA	95240
04306304	RANCHHOD, MAHESH	4225 E HAMMER LN	STOCKTON	CA	95212
04306308	OLSON, REX IN TRUST	478 SANDSTONE CT	WOODBIDGE	CA	95258
04306309	OLSON, EDWARD & E TRS	1306 BURGUNDY CT	LODI	CA	95240
04306803	UNION PACIFIC RAILROAD COMPANY	1416 DODGE ST ROOM 830	OMAHA	NE	68179
04702007	REILLY, KELLY F	5942 ST ANDREWS DR	STOCKTON	CA	95219
04702008	OCHOA, FIDEL	12443 N HWY 88	LODI	CA	95240
04702009	BONOTTO, R & G COTRS ETL	3294 W SARGENT RD	LODI	CA	95240
04702058	UNION PACIFIC RAILROAD COMPANY	1416 DODGE ST ROOM 830	OMAHA	NE	68179

PROPOSED VENDOR ORDINANCE WILL AFFECT THE FOLLOWING:
LA ORDENANZA PROPUESTA DEL VENDEDOR AFECTARA EL SIGUENTE:

- Lunch Wagons
- *Vendedores moviles*

- Push Cart Food Vendors
- *Vendedores que empujan carretas*

- Ice Cream Trucks
- *Vendedores de helados (de camion)*

- Itinerant Merchants
- *Comerciantes Ambulantes*

ALL WILL BE REQUIRED TO OBTAIN A PERMIT TO OPERATE
TODOS SERAN REQUERIDOS PARA OBTENER UN PERMISO DE FUNCIONAR

- Verify Compliance with Requirements of this Code.
- *Verifique la conformidad con requisitos de este codigo.*

- Allows for Review and Suspension/Revocation for problem activities.
- *Tenga en cuenta la revision y la suspension/la revocacion par a las actividades del problema.*

- Includes Conditional Permit to Operate
- *Incluye el permiso condicional defuncionar*
 - Allows for Conditional Approval of Vending Operations beyond what is provided in this Code.
 - *Tenga en cuenta la Aprobacion Condicional de La Operaciones de la venta mas alla de que se proporciona en esteCodigo.*

REGULATIONS/RESTRICTIONS BASED UPON LOCATION REGULACIONES/RESTRICCIONES BASADO SOBRE UNA LOCACION

Streets and Sidewalks

Calles y banquetas

Residential Area

Area Residencial

- Move 400' every 10 minutes.
- *Mueva **400'** cada 10 minutos.*

- Hours of Operation: 7am – 8 pm.
- *Horas de operacion: 7 am – 8 pm*

- **400'** from another vendor.
- ***400'** de otro vendedor.*

- Doesn't affect current lunch wagon operations.
- *No afecta operaciones actuales de vendedores moviles.*

- Directed more toward push carts and ice cream trucks.
- *Dirigio mas hacia las carreta de hielo y camiones hielo.*

Commercial Area

Area Commercial

- Move 400' every 3 hours.
- *Mueva **400'** cada 3 horas.*

- Hours of Operation: 6am-12am.
- *Horas de Operacion: 6 am – 12 am*

- If within 400' of a residential use, Residential requirements apply.
- *Si dentro de **400'** de **uso** residencial, los requisitos Residenciales se aplican.*

REGULATIONS/RESTRICTIONS BASED UPON LOCATION REGULACIONES/RESTRICCIONES BASADO SOBRE LA LOCACION

Streets and Sidewalks Calles y banquetas

Industrial Area *Area Industrial*

- Can be stationary for up to **23** hours.
- *Puede ser inmovil por hasta 23 horas.*
- If within **400'** of a residential use, Residential requirements apply.
- *Si dentro de 400' de un **uso** residencial, los requisitos residenciales se aplican.*

Private Property Propiedad Privada

- Incidental to Primary Use.
- *Elemento incidental al **Uso** Primario.*
- Shall not be Primary Use unless site developed accordingly.
- *No sea **uso** primario a menos que el sitio se convirtiera por consiguiente.*
- Shall not be an accessory use at a stand-alone parking lot.
- *No sea un **uso** accesorio en una porcion independiente del estacionamiento.*
- Shall not occupy required parking spaces for Primary Use.
- *No ocupara requirio los espacios del estacionamiento para el uso primario.*
- Shall not be located on a vacant, undeveloped parcel.
- *No sera colocado en un local vacio, subdesarrollado.*
- Must be located on paved concrete or asphalt parking surface.
- *Debe ser colocado en pavimento concreto o estacionamiento de asfalto.*

REGULATIONS/RESTRICTIONS BASED UPON LOCATION REGULACIONES/RESTRICCIONES BASADO SOBRE LA LOCACION

Private Property Propiedad Privada

- Shall not interfere with required driveways, lanes or hydrants.
- No *interferira con las entradas de domicilios, carriles o bocas de riegos.*

- Shall not interfere with pedestrian movement or create a pedestrian hazard.
- No *intereferira con el movimieno peatonal ni creara un peligro peatonal.*

- Vending within 200' of a Residential Use requires a Conditional Permit to Operate.
- *LA venta dentro 200' de **uso** residencial require un permiso condicional defuncionar.*
 - Conditional Permit to Operate establishes site specific conditions.
 - *El permiso condicional defuncionar establece condiones del espefico de sitio.*
 - Hours of Operation
 - *Horas de Operacion*

 - Location of Property/Distance from Residential
 - *Localizacion de la propiedad/la Distancia de Residencial*

 - Noise and Lighting
 - *Ruido y Luz*
- Provides Enforcement Mechanism
- *Proporcionar mecanismo*

CONDITION/APPEARANCE OF SITE

CONDICION/APARENCIA DEL SITIO

- No tables, chairs, fences, shade structures, or other furniture, free-standing signs.
- *Ningunas mesas, sillas, cercas, estructuras de la cortina, o otros muebles, letreros.*
 - Unless permitted with appropriate permit and site development.
 - *A menos que este permitido con el desarrollo apropiado del permiso y de sitio.*
- Exterior storage or display of equipment, goods, wares or merchandise is prohibited.
- *Almacenaje exterior o exhibicion de equipo, mercancías, mercancías o de la mercancía se prohíbe.*
 - Prohibits Itinerant Merchants
 - *Se prohíbe Comerciantes Ambulantes*

CONDITION/APPEARANCE OF FOOD VENDING

VEHICLE/CONVEYANCE

CONDICION/APARENCIA DE VENDEDORES MOVILES/CONDUCCION

- Display all current permits and licenses.
- *Exhiba todos los permisos y licencias.*
- Must be self-sufficient in regards to gas, water and electrical utilities.
- *Deben ser autosuficientes en respeto de gas, agua y utilidades electricas.*
 - Unless approved connections installed with required permits.
 - *A menos que conexiones aprobadas instaladas con los permisos requeridos.*
- No Discharge
- *Nodescarga*

SANITATION

SANEAMIENTO

- **Food Vendors must operate from approved Commissary.**
- *Los vendedores deben operar desde comisario aprobado.*

- **Responsible for refuse within 25' of vehicle.**
- *Responsable de basura dentro 25' del vehiculo.*

- **Food Vendors required to have approved toilet facilities for food service personnel.**
- *Vendedores moviles requeridos tener instalaciones aprobados del tocador para el servicw de alimento.*
 - **When stationary for more than 1-hour**
 - *Cuando es inmovil para mas de 1 hora.*

July 16, 2007

RECEIVED

(attn.) Lodi City Council

JUL 17 2007 subject, Mobile Food Venders, aka Taco Trucks

City Clerk
City of Lodi

I-1

To whom it may concern???

Hello, my name is Daniel S. Gonzales, citizens of Lodi, some of you may know who I am, I'm a life long resident of this beautiful city...I love my neighborhood, I reside in Lodi's Eastside and my love for this city is literally vested in blood, so yes I do care... Please excuse my absence, but do to a prior commitment, I am not able to attend, but I still want to be heard... I'm an assistant coach for my Grandson's football team, so I hope you'll understand... Anyway, I'm writing this letter or personal appeal, in the hopes that our city leaders, will lead and caution on the side of good judgement and please put an end to these Mobile Food Venders, within our city limits... I for one, enjoy eating out, but not if I have to worry about cleanliness or even the general health of the food servers... I don't want these vendors taking our society backwards and lowering our high standards... I myself demand certain basics when I go out to eat, being able to relieve ones-self in a clean functioning toilet and the basic facilities to wash ones hands to proper sanitation levels... I've looked around, at present I'm not aware of any of these vendors, that are able to meet even the basic health standards food safety and cleanliness... I have a question if this issue is approved are these Taco Trucks going to be given free reign on the westside neighborhoods and the downtown areas of Lodi... In all honesty, it sickens me to witness the degradation of my much loved neighborhood by predatory individuals that do not reside in our city and care nothing about it inhabitants or property values... Please, my personal opinions are not an attack on any individual or particular Taco Truck, my opinions are based on health issues and respect... It is not good business for these Taco Trucks to be able to invade the sovereignty of our city's established restaurants...

Thank You

Respectfully; Daniel S. Gonzales

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
 AMENDING LODI MUNICIPAL CODE, TITLE 9 - "PUBLIC PEACE,
 MORALS AND WELFARE, CHAPTER 9.18 - "VENDING ON
 STREETS AND SIDEWALKS **BY** REPEALING AND REENACTING
 CHAPTER 9.18 "VENDING ON STREETS, SIDEWALKS AND
 PRIVATE PROPERTY"

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI
 AS FOLLOWS:

SECTION 1. Lodi Municipal Code Title 9, "Public Peace, Morals and Welfare", Chapter 9.18
 - "Vending on Streets and Sidewalks", is hereby repealed and reenacted to read as follows:

Chapter 9.18 VENDING ON STREETS, SIDEWALKS AND PRIVATE PROPERTY

9.18.010 Declaration of Purpose

The City Council expressly finds that the vending of produce, prepared or prepackaged foods, goods, wares, and/or services on public streets, sidewalks or alleys and on private property pose unsafe conditions and special dangers to the public health, safety and welfare of the residents of the City of Lodi. It is the purpose and intent of the City Council, in enacting this Chapter, to provide those persons who engage in those types of vending operations with clear and concise regulations to prevent safety, traffic and health hazards, as well as to preserve the peace, safety and welfare of the community.

9.18.020 Definitions

- A. "Business Owner" shall mean any person, firm, or corporation, which owns or controls any interest in any business engaged in vending as defined in Subsection H hereof.
- B. "Commissary" shall mean a food establishment in which food, containers, equipment, or supplies are stored or handled for use in Motorized Food Wagons or Conveyance.
- C. "Conveyance" as used in this Chapter means any vehicle (except Motorized Food Wagons, as defined below), trailer, cart, wagon or stand, with or without wheels, which may be moved from one place to another under its own power or by other means.
- D. "Linear Frontage" is the method used to determine distances as used in this Chapter.
- E. "Mobile Food Vendor" shall mean any person as defined in this Chapter, who owns, controls, manages and/or leases a Motorized Food Wagon or Conveyance; and/or contracts with a person(s) to drive, operate, prepare foods and/or vend from a Motorized Food Wagon or Conveyance.
- F. "Motorized Food Wagon" shall mean any vehicle as defined in Section 670 of the California Vehicle Code, which is equipped and used for retail sales of prepared;

pre-packaged; or unprepared, unpackaged food or foodstuffs of any kind on any public street, alley, highway, or private street, alley, or property within the City of Lodi. For the purposes of this Chapter, a Motorized Food Wagon shall also include any trailer or wagon pulled by a vehicle.

- G. "Persons" shall mean any person, firm, partnership, association, or corporation, and includes, but is not limited to, owners, operators, drivers, lessors, and lessees of Motorized Food Wagons and Conveyances.
- H. "Vend" or "Vending" shall mean the sale of any goods, wares, merchandise, prepared; pre-packaged; or unprepared, unpackaged food or foodstuffs of any kind from private or public property. Vending from a Motorized Food Wagon generally has the following characteristics:
 - 1. Food is ordered and served from a take-out counter that is integral to the Motorized Food Wagon and there is typically a space for customer queuing;
 - 2. Food is paid for prior to consumption;
 - 3. Food and beverages are served in disposable wrappers, plates, or containers; and
 - 4. Food and beverages are prepared and sold for off-site consumption.

Vending from a Conveyance generally has the following characteristics:

- 1. Food is paid for prior to consumption;
 - 2. Food and beverages are served in disposable wrappers, plates, or containers; and
 - 3. Food and beverages are prepared and sold for off-site consumption.
- I. "Vendor"/"Operator" shall mean any person who sells and makes immediate delivery, or offers for sale and immediate delivery, any goods, wares, or merchandise; or drives, operates, vends, and/or prepares food on or from a Motorized Food Wagon or Conveyance.

9.18.030 Regulation of Sales

It shall be unlawful for any person to Vend, or attempt to engage in Vending or operate any vehicle or conduct any business for the purpose of Vending from any vehicle, Motorized Food Wagon or Conveyance parked, stopped, or standing, upon any public street, alley, highway, or property, or private street, alley, or property within the City of Lodi except in accordance with all applicable provisions of this Code.

9.18.040 Permit to Operate

A person desiring to engage in a vendor operation, as defined by this Chapter, shall submit a written application for a Permit to Operate in a form acceptable to and with all supporting information required by the City of Lodi. Such application shall be accompanied by a non-refundable, non-transferable application fee in an amount as may be established by Resolution of the City Council. Any such permit shall be required to be renewed annually and a separate non-refundable, non-transferable application fee shall be paid annually for such renewal application. Vendors must have the permit in their possession when vending. There must be at least one Vendor with a valid permit present whenever Vending is taking place.

- A. A Vendor must obtain a background check in accordance with the requirements of Section 9.16.030 of this Code.
- B. Every Vendor shall obtain a City of Lodi Business Tax Certification.
- C. **As** part of the Permit to Operate application, the Vendor or Business Owner shall provide the following:
 - 1. Proof of current vehicle registration and a copy of an applicable vehicle insurance policy for any vehicles used in the vending activity.
 - 2. Four photographs (showing different exterior views) of each Motorized Food Wagon or Conveyance.
 - 3. A copy of a current San Joaquin County Environmental Health permit for any food service vending operation.
 - 4. A copy of the Vendor or Business Owner's current Business Tax Certification and applicable Board of Equalization Seller's Permit.
 - 5. For Mobile Food Vendors, Business Owners must show proof of payment to a Commissary for the prior twelve **(12)** months for all cases involving the reissuance of a Permit; and proof of current payment for new Vendors.
 - 6. If the Vendor is operating on private property, the Business Owner shall provide the following:
 - a. an affidavit in a form approved by the City from the property owner (if other than self) permitting the Vendor to locate on the site;
 - b. a Site Plan, drawn to scale and with dimensions, indicating the location of all existing buildings, structures, driveways, parking spaces, traffic controls and improvements, and the location or areas where the proposed Vending activity, structures and improvements related to the Vending activity, will be located upon the site; and
 - c. in the case of Mobile Food Vendors, an affidavit from the business or location providing the required restroom facilities for food service workers, stating the hours that those facilities are being made available to the Mobile Food Vendor.
- D. The following may constitute grounds for denial of a Permit to Operate:
 - 1. The Vending operation or activity as proposed by the applicant does not comply with all applicable laws including, but not limited to, the applicable building, zoning, housing, fire, safety, and health regulations under State law and this Code;
 - 2. The applicant is unable *to* obtain the required Peddler's license, pursuant to LMC Section 9.16.030 due to a criminal background check;

3. The applicant has, within three (3) years immediately preceding the date of filing of the Application, had a Permit to Operate, Peddler's License , or related permit, which was issued within the State of California, suspended or revoked;
4. The applicant has knowingly made a material misstatement in the Application for a Permit to Operate:
5. There have been excessive calls for service to the Lodi Police Department within the twelve (12) months preceding the Application with inadequate response by the Vendor or Business Owners or operators, involving the commission of crimes, disturbances, public nuisances, or applicable Lodi Municipal Code violation investigations, which are located, committed, or generated on the premises of the Vending operation.
6. Failure to obtain clearance from San Joaquin County Environmental Health.

E. As an alternative to a denial of a Permit to Operate for failure to meet the requirements of this Chapter, the City Manager or designee may issue a Conditional Permit to Operate. Said Conditional Permit to Operate shall be issued with conditions imposed on the operation of the premises. All conditions shall be complied with in order to maintain the Conditional Permit to Operate in a valid status. Failure to comply with the imposed conditions will subject the Conditional Permit to Operate to suspension and/or revocation procedures under this Chapter or any other remedy authorized by law.

9.18.050 Location

A. A Vendor may locate and operate in the public right-of-way subject to the following conditions:

1. A Vendor shall not operate within three hundred (300) feet of any school grounds, park, playground, or City operated recreation center.
2. A Vendor shall not operate within one hundred (100) feet of any street intersection.
3. In addition to the above, a Vendor must comply with the following regulations, depending upon the type of use in which it is located:

a. Residential Use Area:

- i. In a Residential Use Area, a Vendor shall move not less than four hundred (400) feet at least every ten (10) minutes and may not return to a previous location or within four hundred (400) feet of a previous location on the same calendar day.
- ii. Permitted hours of operation are from 7:00 a.m. to 8:00 p.m.
- iii. A Vendor may not be located within four hundred (400) feet of another Vendor.

b. Commercial Use Area:

- i. In a Commercial Use Area, a Vendor shall move not less than four hundred (400) feet at least every three (3) hours and may not return to a previous location or within four hundred (400) feet of a previous location on the same calendar day.
- ii. Permitted hours of operation are from 6:00 a.m. to 12:00 a.m.
- iii. If a Vendor is located in a Commercial Use Area and is within four hundred (400) feet of a residence, Vendor shall comply with the requirements listed above for Residential Use Area.

c. Industrial Use Area:

- i. In an Industrial Use Area, a Vendor may operate twenty-three (23) hours a day.
- ii. If a Vendor is located in an Industrial Use Area and is also within four hundred feet (400) feet of a residence, it shall comply with the requirements listed above for Residential Use Area.

4. No Vendor shall be located or maintained on public property, including bicycle pathways, inconsistent with any provision of this Code.

B. A Vendor may locate on private property subject to the following conditions:

1. Incidental to a primary use with the primary use having a valid City of Lodi Business Tax Certification;
2. A Vendor shall not be the primary use of a parcel unless that parcel is developed in accordance with the standards of the City's Development Code for that use and the zoning designation for that parcel.
3. A Vendor shall not be permitted as an accessory use to a stand-alone parking lot.
4. A Vendor cannot utilize, or be located on, parking spaces required for the primary use at that property.
5. A Vendor cannot be located on a vacant, undeveloped parcel or lot.
6. A Vendor must be located on a paved concrete or asphalt parking surface.
7. A Vendor cannot interfere with access, aisles, circulation, driveways or fire lanes and hydrants.
8. A Vendor cannot interfere with pedestrian movement or create a pedestrian hazard.

9. Vending on private property within two-hundred feet of a residential use is permitted only through the provisions of a Conditional Permit to Operate.

9.18.060 Exemption

- A. Any person engaged in Vending conducted in connection with the operations of a state-certified open-air market or an authorized street fair or event under a special event permit, lease, real property license, agreement, or other entitlements issued by the City of Lodi.
- B. Any person delivering any goods by vehicle where such goods have been ordered in advance for such delivery from any business located at a permanent location and which goods are being delivered from such location to the customer by vehicle, regardless of the point of sale.
- C. Section 9.18.050 shall not apply to the sale or distribution of any newspaper, flier or handbill.

9.18.070 Application of Other Laws and Regulations

- A. The provisions of this Chapter prohibiting the stopping or parking of a vehicle shall apply at all times or at those times specified by this Chapter, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.
- 0.** The provisions of this Chapter imposing a time limit on stopping or parking shall not relieve any person from the duty to observe other more restrictive provisions of the California Vehicle Code, this Code or any other ordinances of the City, prohibiting or limiting the stopping or parking of vehicles in specified places or at specified times.

9.18.080 Condition/Appearance of Site

- A. The site shall be maintained in a safe and clean manner at all times.
- B. No tables, chairs, fences, shade structures, or other site furniture, (permanent or otherwise) or any freestanding signs shall be permitted in conjunction with the Vendor.
- C. Should any other site improvements be needed for on-going Vending operations, the Vendor shall be required to apply for appropriate permits to ensure building and public safety and consistency with applicable building and zoning regulations.
- D. Exterior storage or display of refuse, equipment, materials, goods, wares or merchandise associated with the Vendor is prohibited.

9.18.090 Condition/Appearance of Motorized Food Wagon and Conveyance

- A. The Vendor shall display, in plain view and at all times, current permits and licenses in or on their vehicle.
- B. Any Motorized Food Wagon or Conveyance used in the course of Vending shall be entirely self-sufficient in regards to gas, water, and telecommunications.

Should any utility hook-ups or connections to on-site utilities be required, the Vendor shall be required to apply for appropriate permits to ensure building and public safety and consistency with applicable building and zoning regulations.

- C. The Vendor shall not discharge items from any Motorized Food Wagon or Conveyance vehicle onto the sidewalk, gutter, storm inlets, or streets.

9.18.100 Lighting

The Vendor shall install adequate lighting to ensure customer safety. Lighting shall be directed downwards and away from public streets and adjacent properties.

9.18.110 Sanitation

- A. All Motorized Food Wagons or Conveyances shall operate out of a Commissary pursuant to California Health and Safety Code section 114287.
- B. All Motorized Food Wagons or Conveyances shall be equipped with refuse containers large enough to contain all refuse generated by the operation of such a vehicle, and the Vendor of the Motorized Food Wagon or Conveyance shall pick up all refuse generated by such operation within a twenty-five (25)-foot radius of the vehicle before such vehicle is moved. No Vendor shall dispose of any trash or refuse in any such public or private trash receptacle other than a trash receptacle owned, operated, or otherwise provided by and under the control of such Vendor.
- C. A Motorized Food Wagon or Conveyance shall comply with California Health and Safety Code section 114299.5 regarding the availability of adequate toilet facilities for use by food service personnel.

9.18.120 Safety and Security

- A. No Vending shall be permitted except after the Motorized Food Wagon or Conveyance has been brought to a complete stop and parked in a lawful manner.
- B. The Vendor shall install signage in a visible location indicating that loitering is not permitted and customers may only remain on the lot for up to fifteen (15) minutes after receiving their food.
- C. The Vendor shall enforce the no loitering provisions of this Code.

9.18.130 Applicability of Regulations to Existing Business

The provisions of this Chapter shall be applicable to all persons and businesses described herein whether the herein described activities were established before or after the effective date of the ordinance enacting this Chapter into law.

9.18.140 Penalties

Any person violating any provisions or failing to comply with any of the mandatory requirements of this Chapter is subject to the following penalties:

- A. Fines

1. Violations are subject to the Administrative Enforcement Provisions of this code and the fines established in LMC Section 1.10.260;
2. Three or more violations of this Chapter during any one-year period shall be deemed misdemeanors, punishable as specified in Section 1.08.010(B) of this Code.

B. Suspension/Revocation of Permit to Operate/Conditional Permit to Operate

1. Procedure

In the event of a violation of the regulations of this Chapter, the City Manager or his/her designee shall issue a Notice of Intent to Suspend or Revoke the Permit to Operate. The Vendor shall have the right to request a hearing, as provided in LMC Chapter 1.10, within 10 days of service of the Notice of Intent. If no hearing is requested, the Permit to Operate shall be revoked or suspended upon the expiration of the appeal period set forth in LMC Chapter 1.10.

2. Basis for Suspension/Revocation of Permit to Operate

- a. Any Permit to Operate may be suspended and/or revoked by the City Manager or his/her designee after a review, where it is determined that:
 - i. The Vendor has violated the provisions of this Chapter: or
 - ii. The Vendor has committed any act or engaged in action, which would constitute grounds for denial of a Permit to Operate pursuant to Section 9.18.040(D) of this Chapter; or
 - iii. The Vendor has engaged in fraud, misrepresentation, or false statements in conducting the vending operation or activity; or
 - iv. The Vendor has failed to correct a violation under this Chapter within the time period ordered by the City; or
 - v. The Vendor has operated or continued to operate without a Permit to Operate or after a Permit to Operate has been suspended or revoked.

3. Basis for Suspension/Revocation of a Conditional Permit to Operate

- a. Any Conditional Permit to Operate may be suspended or revoked for:
 - i. Any of the basis to suspend or revoke a Permit to Operate set forth herein; or
 - ii. Any violation of the terms of the Conditional Permit to Operate.

9.18.150 Enforcement

The provisions of this Chapter may be enforced by any peace officer, or the Director of Community Development or his/her designee.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 4. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions **of** this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 5. This ordinance shall be published one time in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi and shall take effect thirty days from and after its passage and approval.

Approved this ____day of _____, 2007

BOB JOHNSON
Mayor

Attest:

RANDI JOHL
City Clerk

=====

State of California
County of San Joaquin, ss.

I, Randi Johl, City Clerk of the City of Lodi, do hereby certify that Ordinance No. _____ was introduced at a regular meeting of the City Council of the City of Lodi held July **18**, 2007, and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 2007, by the following vote:

AYES: COUNCIL MEMBERS –

NOES; COUNCIL MEMBERS –

ABSENT COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. _____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

RANDI JOHL, City Clerk

Approved as to Form:
D. STEPHEN SCHWABAUER
City Attorney

By  _____
JANICE D. MAGDICH
Deputy City Attorney